

Notice of Allowability

Application No.

10/781,364

Examiner

Michael A. Friedhofer

Applicant(s)

SORBO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

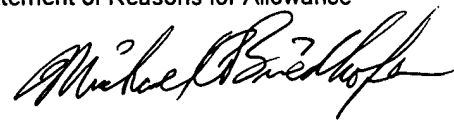
1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ The drawings filed on 18 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1021
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.



**MICHAEL FRIEDHOFER
PRIMARY EXAMINER**

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, line 3 replace "adapted" with --able--.

In claim 1, line 6 after ":", insert --and--.

In claim 1, line 9 replace "adapted to pivot" with --pivotable--.

In claim 2, line 2 replace "adapted to facilitate" with --facilitating--.

In claim 5, line 3 replace "adapted to pivot" with --pivotable--.

In claim 5, line 8 replace "adapted" with --able--.

In claim 5, line 13 replace "the inner" with --an inner--.

In claim 5, line 13 replace "adapted to pivot" with --pivotable--.

In claim 6, line 2 replace "adapted to facilitate" with --facilitating--.

In claim 9, line 3 replace "adapted to pivot" with --pivotable--.

In claim 9, line 8 replace "adapted" with --able--.

In claim 9, line 13 replace "adapted to pivot" with --pivotable--.

In claim 10, line 2 replace "adapted to facilitate" with --facilitating--.

In claim 13, line 2 replace "interior" with --inner--.

In claim 17, line 3 replace "as" with --a--.

In claim 17, line 10 delete "having".

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In claim 17, line 15 replace "it" with --the boot--.

In claim 17, line 16 replace "it" with --the second contact--.

In claim 24, line 7 replace "it" with --the boot--.

In claim 24, line 9 replace "said contact" with --said contacts--.

In claim 24, line 9 replace "it" with --the at least one of the contacts--.

In claim 25, line 15 replace "it " with --the float portion--.

In claim 26, line 19 replace "it" with --the float portion--.

2. The following is an examiner's statement of reasons for allowance: The prior art does not teach or suggest a boot for covering and protecting a fluid level detecting switch that includes a flexible material having an interior volume for receiving and flexibly accommodating a movable float portion of the switch; a connecting portion for connecting the boot to an attachment portion of the float switch; and an engaging portion for providing watertight engagement with an inner wall of a reservoir, such that, the movable float portion is pivotable within the interior volume of the boot in response to changes in a liquid level in the reservoir. The prior art, also, does not teach or suggest the boot of flexible material being capable of completely covering a fixed and a movable contact, thereby insulating them from fluid in which the boot has a first flexible portion generally adjacent the mounting end of the shaft of the switch and a second substantially rigid portion generally adjacent the second contact so that the second portion of the boot, being capable of displacing fluid, is caused to flex along the flexible

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when the fluid level rises, thereby causing the rigid portion to engage the second contact and drive it toward the first contact.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael A. Friedhofer
Primary Examiner
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